IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 750 (S/S) of 2006

Dayal Singh Bisht,
S/o Sri Kesar Singh Bisht,
R/o Jawahar Nagar, House No. 67,
P.O.- Nagla Dairy Farm,
District – Udham Singh Nagar. **.....Petitioner**

V e r s u s

1. Vice Chancellor, Govind Ballabh Pant University of Agriculture and Technology, Pantnagar, District – Udham Singh Nagar.

2. Establishment Officer, Govind Ballabh Pant University of Agriculture and Technology, Pantnagar, District – Udham Singh Nagar.

3. Dean College of Agriculture, Govind Ballabh Pant University of Agriculture and Technology, Pantnagar, District – Udham Singh Nagar.

.....Respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri P.C. Bisht, learned counsel for the petitioner and Sri Rajendra Dobhal, learned standing counsel for respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

(a) issue a writ, order, direction in the nature of Mandamus commanding / directing the respondents to consider the regularization of the services of the petitioner and appoint him on the post of Computer Typist with regular pay scale and other consequential benefits.

(b) *Any other writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case may also be passed in favour of the petitioner;*

(c) *award the cost of the writ petition.*

Learned counsel for the petitioner has submitted that petitioner was engaged by the University on daily wage / contractual basis in the year 2000 and thereafter he was engaged as such from February, 2001 to 30.03.2001; August, 2001 to February, 2002; May 2002 to June, 2002; July, 2002 to April 2003 and from May, 2003 to August, 2005 with artificial breaks.

The submission of the learned counsel for petitioner is that petitioner has completed 240 days work in the University.

The petitioner has alternative remedy by way of approaching Labour Court for redressal of his grievance.

Without entering into merit of the case writ petition is dismissed in limine on the ground of alternative remedy.

(M.M. Ghildiyal, J)

June 12, 2006
SKSharma